

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GLEN HUNSBERGER, MANUELLE  
ALKEINE, & JENNIFER PESKETT,

Defendants.

Case No. 2:14-CR-00328-KJD-NJK

**ORDER**

Before the Court for consideration is the Order and Report and Recommendation (#91) of Magistrate Judge Nancy J. Koppe entered August 26, 2015, recommending that Defendant Manuelle Alkeine's Motion to Suppress (#57) to which Defendant Glen Hunsberger joined and Defendant Jennifer Peskett's Motion to Suppress Evidence for Fourth Amendment Violations (#61) be denied. In accordance with Local Rule IB 3-2 ("LR IB 3-2"), the Government filed Objections (#104) to the portion of the report and recommendation finding Defendants had standing to object to the search of the packages. Additionally, Defendants Manuelle Alkeine and Jennifer Peskett, respectively, filed objections (#103/107). No responses to the objections were filed by any party.

The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and LR IB 3-2. The Court determines that the Report and Recommendation

1 (#91) of the United States Magistrate Judge entered August 26, 2015, should be **ADOPTED** and  
2 **AFFIRMED**. The Magistrate Judge correctly concluded that under the procedural posture of the  
3 case, Defendants had standing, as alleged in the Indictment, to object to the search of the packages.  
4 Further, despite Defendants' characterizations of the evidence and authority, the Magistrate Judge's  
5 well-reasoned analysis of the facts and law correctly determined that no error in the training or search  
6 of the dogs YaYa and Daisy made their "canine sniffs" unreliable or tainted the information provided  
7 in the affidavits attached to the applications for the search warrants. The factual and legal analysis of  
8 the Magistrate Judge was thorough and exacting. Given the totality of the circumstances, the search  
9 warrants were correctly issued and the contraband properly seized. Further, the Magistrate Judge  
10 correctly concluded that Package 5 was correctly seized in accordance with the search warrant and as  
11 evidence of the crime alleged in the present indictment, and therefore, Peskett's statements  
12 voluntarily made to the postal inspector were not "fruit of the poisonous tree."

13 Accordingly, IT IS THEREFORE ORDERED that the Magistrate Judge's Order and Report  
14 and Recommendation (#91) entered August 26, 2015, are **ADOPTED** and **AFFIRMED**, and  
15 Defendants' Motions to Suppress Evidence (#57/61) are **DENIED**;

16 IT IS FURTHER ORDERED that the Objections (#103/104/107) are **DENIED**.

17 DATED this 9th day of November 2015.

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Kent J. Dawson  
United States District Judge  
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